

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CHRISTOPHER MCLEOD,

Plaintiff,

v.

DIRECTOR OSCAR AVILES AND
NURSE WINT,

Defendants.

Civil No. 23-1125 (BRM) (LDW)

MEMORANDUM AND ORDER

Before the Court is *pro se* Plaintiff Christopher McLeod’s (“Plaintiff”) letter request to amend his initial complaint. (ECF No. 8.)

On March 29, 2023, after granting Plaintiff’s application to proceed *in forma pauperis*, the Court screened Plaintiff’s initial complaint for dismissal under 28 U.S.C. §§ 1915(e)(2)(B). (*See* ECF Nos. 3, 4.) The Court dismissed the initial complaint for failure to state a claim upon which relief could be granted. (*See id.*) The Court permitted Plaintiff to file an Amended Complaint.

Plaintiff has filed a letter titled “appeal of amended,” which contains a paragraph of factual allegations. (ECF No. 8.) However, the letter, which contains only a statement of facts, fails to include the names of any defendants, a request for relief, or Plaintiff’s signature. (*See id.*) Federal Rule of Civil Procedure 8(a)(2) requires that, in order to state a claim, a pleading must contain “a short and plain statement of the claim showing that the pleader is entitled to relief,” which “give[s] the defendant fair notice of what the . . . claim is and the grounds upon which it rests.” *Bell Atl. Corp. v. Twombly*, 550 U.S. 526, 545 (2007) (citing *Conley v. Gibson*, 355 U.S. 41, 47 (1957)). The Amended Complaint fails to put any defendant on notice of the claims against them.

In light of Plaintiff's *pro se* status, the Court will allow Plaintiff to file one all-inclusive amended complaint which contains all of his claims and any named defendant he wishes to raise said claims against.

Accordingly,

IT IS on this 6th day of December 2024,

ORDERED the Clerk of the Court shall make a new and separate entry marking this matter **RE-OPENED**; it is further

ORDERED the Clerk of the Court shall send Plaintiff a copy of the form to be used by a prisoner in filing a civil rights complaint (DNJ-ProSe-006-ProSePrisCvRghtsCmpFrm-STANDARD-(Rev.05-2013, 12/2023)); it is further

ORDERED within **30 days** of the date of this Order, Plaintiff may file an amended complaint which contains all claims and supporting facts he wishes to raise before the Court, and any defendant he is raising said claims against; when submitting any amended complaint, Plaintiff is reminded of Federal Rule of Civil Procedure 8(a)(2)'s requirement that the complaint contain a "short and plain statement of the claim showing that the pleader is entitled to relief;" and it is further

ORDERED the Clerk of the Court shall serve a copy of this Order upon Plaintiff by regular U.S. mail and **CLOSE** this matter.

/s/Brian R. Martinotti
HON. BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE